

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ALAMAR CYRIL HOUSTON,

Plaintiff,

No. CIV S-03-1625 FCD JFM P

vs.

BUCK, et al.,

Defendants.

ORDER

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Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. This matter came on for trial confirmation hearing before the undersigned on August 8, 2005. At the time of the hearing, counsel for defendants informed the court that plaintiff had been found incompetent in criminal proceedings. In light of that finding, the matter was set for status conference on November 14, 2005. (Order filed August 10, 2005.) On September 14, 2005, plaintiff filed a notice of change of address which evidenced his transfer to Atascadero State Hospital. On October 20, 2005, plaintiff filed another notice of change address evidencing his return to California State Prison-Solano (CSP-Solano).

On October 25, 2005, defendants filed a motion to stay these proceedings, including the November 14, 2005 status conference. Defendants' motion was served on plaintiff at Atascadero and is predicated on a July 29, 2005 order of the Solano County Superior Court

1 committing plaintiff to Atascadero State Hospital “until he is restored to competency or further
2 order of court.” (Ex. A to Defendants’ Motion to Stay, filed October 25, 2005.) Defendants’
3 motion does not address plaintiff’s October 2005 return to CSP-Solano.

4 Good cause appearing, IT IS HEREBY ORDERED that on or before 5:00 p.m. on
5 November 9, 2005, defendants shall inform the court in writing whether plaintiff’s return to CSP-
6 Solano was preceded by a determination that he had been restored to competency or for some
7 other reason and shall file such evidence of the information provided as may be available.

8 DATED: November 4, 2005.

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11 /s/ Frank C. Damrell Jr.
UNITED STATES DISTRICT JUDGE

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